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Attorneys for Plaintiff

HYDE & SWIGART
San Diego, California

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Jon Daugherty Plaintiff, v. Superior Recovery Services and Associates, Inc. Defendants.	**Case Number: 08 CV 549 BEN WMC** **PROOF OF SERVICE**

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

Jon Daugherty,

vs

Superior Recovery Services and Associates, Inc.,

SUMMONS IN A CIVIL ACTION

Case No.

'08 CV 549 BEN WMc

TO: (Name and Address of Defendant)

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY

Joshua B. Swigart
Hyde & Swigart
411 Camino Del Rio South, Suite 301
San Diego, CA 92108

An answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.

CLERK

MAR 24 2008

DATE

J. HINGE

By , Deputy Clerk

JOSHUA B. SWIGART, ESQ.
HYDE & SWIGART
411 CAMINO DEL RIO SOUTH, SUITE 301
SAN DIEGO CA 92108
619-233-7770 Ref. No. : 0304277-01

UNITED STATES DISTRICT COURT, SO. DISTRICT OF CA
SOUTHERN JUDICIAL DISTRICT

PLAINTIFF : JON DAUGHERTY
DEFENDANT : SUPERIOR RECOVERY SERVICES, etc.

Case No.: 08 CV 549 BEN WMC
PROOF OF SERVICE

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of the SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL COVER SHEET

3. a. Party served : SUPERIOR RECOVERY SERVICES AND ASSOCIATES, INC.
   b. Person served : GENE GIROWE, MANAGING AGENT
   (PERSON APPARENTLY IN CHARGE)

4. Address where the party was served 80 S. MAIN RD SUITE 112
   VINELAND, NJ 08360 (Business)

5. I served the party
   b. **by substituted service.** On May 16, 2008 at 12:00 PM I left the documents listed in item 2
   with or in the presence of GENE GIROWE, MANAGING AGENT,
   PERSON APPARENTLY IN CHARGE
   (1) **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
   (4) a **declaration of mailing** is attached.
   (5) I attach a **declaration of diligence** stating actions taken first to attempt personal service.

6. The "Notice to the person served" (on the summons) was completed as follows:
   c. on behalf of: SUPERIOR RECOVERY SERVICES AND ASSOCIATES, INC.
   under [xx] CCP 416.10 (corporation)

7. **Person who served papers**
   a. THOMAS E. BAALS
   b. KNOX ATTORNEY SERVICE, INC.
   2250 Fourth Avenue
   San Diego, California 92101
   c. 619-233-9700
   d. Fee for service: $143.00
   e. I am:
   (3) a registered California process server
   (i) an independent contractor
   (ii) Registration No.: 152
   (iii) County: San Diego

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 22, 2008

Signature: SEE ATTACHED NOTARIZED AFFIDAVIT
THOMAS E. BAALS

JOSHUA B. SWIGART, ESQ.
HYDE & SWIGART
411 CAMINO DEL RIO SOUTH, SUITE 301
SAN DIEGO CA 92108
619-233-7770 Ref. No. : 0304277-01

UNITED STATES DISTRICT COURT, SO. DISTRICT OF CA
SOUTHERN JUDICIAL DISTRICT

PLAINTIFF : JON DAUGHERTY
DEFENDANT : SUPERIOR RECOVERY SERVICES, etc.

Case No.: 08 CV 549 BEN WMC
DECLARATION REGARDING DILIGENCE

I received the within process on 05/05/08. After due and diligent effort I have been unable to effect personal service on the within named party at the following address(es):

Party served SUPERIOR RECOVERY SERVICES AND ASSOCIATES, INC.

Business : 80 S. MAIN RD SUITE 112, VINELAND NJ 08360

Attempts to effect service are as follows:

05/16/08 12:00P Attempted service-effected substitute service

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 22, 2008

Signature: SEE ATTACHED NOTARIZED AFFIDAVIT
THOMAS E. BAALS

Jud. Coun. form, rule 2.150 CRC

DECLARATION RE DILIGENCE

JOSHUA B. SWIGART, ESQ.
HYDE & SWIGART
411 CAMINO DEL RIO SOUTH, SUITE 301
SAN DIEGO CA 92108
619-233-7770 Ref. No. : 0304277-01

SUPERIOR COURT OF CA., COUNTY OF RIVERSIDE
RIVERSIDE JUDICIAL DISTRICT

PLAINTIFF : JON DAUGHERTY
DEFENDANT : SUPERIOR RECOVERY SERVICES ASSOCIATES IN

Case No.: 08 CV 549 BEN WMC
DECLARATION OF MAILING

RE: SUPERIOR RECOVERY SERVICES AND ASSOCIATES, INC.

I am a citizen of the United States and am employed in the County of SAN DIEGO, State of California. I am over 18 years of age and not a party to this action. My business address is
2250 FOURTH AVENUE, SAN DIEGO CA 92101

On May 19, 2008 I served the within documents:

SUMMONS IN A CIVIL ACTION; COMPLAINT; CIVIL COVER SHEET

On the party in said action, by mailing a true copy thereof (by first-class mail, postage prepaid), enclosed in a sealed envelope at the mail collection site at my place of employment, addressed to the following:

SUPERIOR RECOVERY SERVICES AND ASSOCIATES, INC.

80 S. MAIN ROAD, SUITE 112
VINELAND, NJ 08360

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 19, 2008 at SAN DIEGO, California.

Signature: ______________________
LAURA BONDE

DECLARATION OF MAILING

JON DAUGHERTY

Plaintiff

vs.

SUPERIOR RECOVERY SERVICES AND ASSOCIATES, INC.

Defendant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DOCKET NO.: 08 CV 549 BEN WMC

Person to be served (Name & Address):
Superior Recovery Services and Associates, Inc.
80 S. Main Road, Suite 112
Vineland, NJ 08360

Attorney:

AFFIDAVIT OF SERVICE
(For Use by Private Service)

Cost of Service pursuant to R. 4:4-3(c)

$__________

Papers Served:
Summons and Complaint

Service Data:

Served Successfully XXXX Not Served _____

Date: 05/16/2008 Time: 12:00 P.M.

_____ Delivered a copy to him / her personally

_____ Left a copy at his/her dwelling place or usual place of abode by delivering same to a competent household member over 14 years of age residing therein
(indicate name & relationship at right)

XXXX Left a copy with a person authorized to accept service, e.g., managing agent, registered agent, etc.
(indicate name & official title at right)

Name of Person Served and relationship / title:
Gene Girowe, Managing Agent
Pursuant to Rule 4:4-4(a)(6).

Actual place of service:
80 S. Main Road, Suite 112
Vineland, NJ 08360

Description of Person Accepting Service:

Sex: MALE Age: 50 Height: 6'1" Weight: 200 Skin Color: WHITE Hair Color: blk/grey

Unserved:

____ Defendant is unknown at the address furnished by the attorney
____ All reasonable inquiries suggest defendant moved to an undetermined address
____ No such street in municipality
____ No response on: ______ Date ______ Time ______ Date ______ Time ______ Date ______ Time

____ Other:________________ Comments or Remarks________________

Server Data:

Subscribed and Sworn to me this 19 day of May 2008

Donna Marie Carlucci

Name of Notary / commission expiration
DONNA MARIE CARLUCCI
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES
FEBRUARY 10, 2010

I, THOMAS E. BAALS, was at the time of service a competent adult not having a direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

________________ Date

THOMAS E. BAALS
Knox Attorney Service, Inc.
2250 Fourth Avenue
San Diego, CA 92101 Ph: 619-233-9700